

REMARKS

This is in response to the official action dated April 20, 2004. Reconsideration in view of the following is respectfully requested.

Claims 9-14 are rejected as being anticipated by Doi (US 4919402).

In Doi's device, the damping effect of the elastomeric bodies used as 'springs' is not illustrated; but it is clearly described in the specification: "the elastomeric body acts as a *spring*" (col. 2, line 19). The skilled person will recognize that the elastomeric body is *not a spring*, i.e. may act like a spring, but does not necessarily have all of the attributes of a true spring (springing function). The 'springs' $K_E K_O$ are elastomeric bodies which comprise an inherent damping function.

The examiner cites several references to support a position that elastomeric springs and non-elastomeric springs. However, while these references may discuss certain aspects in which these two may have an equivalent attribute, such attributes are not relevant to the present claims, and therefore do not provide the necessary suggestion to the skilled person. That it is because by their very nature, elastomeric springs are not able to function in this manner.

More specifically, the cited references are deemed not relevant as stated above, for the following reasons:

US 5778803 – the springs are intended assure the parallel movement of two different elements (col. 6, lines 11-12)

US 5730429 – the springs must exhibit low-frequency sensitivity and low (i.e. relevant) damping (col. 5, lines 3-4)

US 4623132 – the springs should provide a movement of a support frame between an opened and closed position (col. 3, lines 58-60).

None of these references suggests that elastomeric springs may be substituted for non-elastomeric springs to achieve a coupling of masses without any damping. Therefore, the skilled person designing the current invention would not look to Doi or any of these references, as they do not suggest that masses may be coupled by springs which are able to act without any damping function.

Claim 9 has been amended to define the first and second springs. Support is found at page 3. As claim 9 now requires a non-elastomeric spring, it can not be anticipated by Doi. Anticipation requires that each and every element be disclosed in the prior art reference, and Doi does not teach such a spring. Accordingly, claims 9-14 are not anticipated and the rejection should be withdrawn.

Furthermore, the claims would not be obvious, as there is no suggestion to substitute a non-elastomeric spring for an elastomeric spring of Doi. As discussed above, there must be specific suggestion, not a general equivalence unrelated to the function needed to achieve the purposes of the claim. In fact, even if one were to use an elastomeric spring, it could not possibly satisfy the limitation of coupling masses without damping action.

Wherefore, allowance of all claims is earnestly solicited.

Respectfully submitted,


NORRIS, MCLAUGHLIN & MARCUS, P.A.

Bruce S. Londa (33,531)

Attorney for Applicant

Norris McLaughlin & Marcus P.A.

220 East 42nd Street, 30th Floor

New York, N.Y. 10017

Telephone: (212)808-0700

Facsimile: (212)808-0844